

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

JEFFREY M. MULLER; *et al.*,

Plaintiffs,

v.

THE HON. PHILIP J. MAENZA, *et al.*,

Defendants.

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No. 2:10-CV-6110 (WHW) (CCC)

**DECLARATION OF
JEFFREY M. MULLER**

I, Jeffrey M. Muller, declare as follows:

1. On January 8, 2010, three men attacked me when I arrived for work in the morning. I was beaten, Tasered, restrained, and a gun was held to my head.

2. The attackers claimed to be members of a motorcycle gang from Missouri, and they drove me from New Jersey to Missouri.

3. Very fortunately, the attackers' car broke down shortly before we arrived at their intended destination, and I was able to summon attention and escape.

4. It is my understanding that I am the key witness against the men who are accused of attacking and kidnapping me in their upcoming criminal trials in New Jersey.

5. I want to carry a handgun because of I am concerned that associates of the suspects may intimidate, injure, or kill me to prevent me from providing testimony against them at their trials.

6. I would carry an operable handgun in public for self-defense, but I refrain from doing so because I fear arrest, prosecution, fine, and imprisonment because I do not hold a Permit to Carry issued pursuant to N.J.S.A. § 2C:58-4.

7. I applied for a Permit to Carry pursuant to N.J.S.A. § 2C:58-4 on February 1, 2010. A copy of my application is attached as Exhibit 1.

8. On April 4, 2010, the New Jersey State Police approved my application for a Permit to Carry. Exhibit 1.

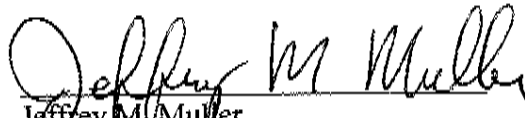
9. On August, 31, 2010, Judge Maenza denied my license application on the ground that I lacked "justifiable need." A copy of Judge Maenza's decision is attached as Exhibit 2.

10. I learned that on September 24, 2010, New Jersey law enforcement officials had identified a fifth suspect in my kidnapping and requested his extradition to New Jersey.

11. I met all of the requirements for issuance of a Permit to Carry, except I was found to lack "justifiable need to carry a handgun."

I affirm all of the foregoing statements under penalty of perjury under the laws of the United States of America.

Dated: December 20, 2010


Jeffrey M. Muller